

IN THE
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal No. 4:18-CR-00011
)	
PHILLIP DAEKWON MILES,)	
)	
Defendant.)	

DEFENDANT PHILLIP DAEKWON MILES’ MOTION IN OPPOSITION TO UNITED STATES’ EMERGENCY MOTION TO LIMIT DISCLOSURE OF IDENTIFYING INFORMATION OUTSIDE DEFENSE TEAMS

Comes now, Phillip Daekwon Miles, by Counsel and files this Motion in opposition to the United States’ emergency motion to limit disclosure of identifying information outside defense teams (ECF 267). Mr. Miles so files on the following grounds:

1. it violates his – and his co-defendants’ – rights to call for evidence and witnesses and to effective assistance of counsel under the 5th and 6th Amendments;
2. it is non-specific as to defendant Phillip Miles;
3. the United States’ comment that “a named witness in this indictment was lured to a location in the heart of the defendants’ gang territory and shot to death in broad daylight” is inapposite for following reasons:
 - a. the United States has alleged there were two gangs – the Rollin 60’s Crips (Indictment -00011) and the Milla Bloods (Indictment -00012);

- b. but for an allegation that these purported gangs “tied the flag” there is no question that, traditionally, Crips and Bloods are rivals who do not like each other;
- c. even with the allegation of a “tying of the flag”, the United States does not suggest in its’ Motion that the alleged Rollin 60’s Crips and the alleged Milla Bloods share “gang territory;”
- d. the United States filed a separate emergency Motion pursuant to each Indictment (ECF 267, dated 12/3/18 in re Indictment -00011 and ECF 202, dated 12/3/18 in re Indictment -00012);
- e. both of the United States’ emergency Motions indicate that the “victim was lured to a location in the heart of the defendants’ gang territory” yet neither of the United States’ emergency Motions indicate to which alleged “gang territory” the purported witness was supposedly ‘lured’ (see ¶3 of ECF 267, dated 12/3/18 in re Indictment -00011 and see ¶3 of ECF 202, dated 12/3/18 in re Indictment -00012 citing to omission); and,
- f. the United States’ allegation of ‘luring the witness’ is, itself, wholly speculative and unsupported by their Motion.

WHEREFORE, defendant Phillip Daekwon Miles moves for entry of an order denying the United States’ motion or, alternatively for a hearing on the matter.

Respectfully submitted,

PHILLIP DAEKWON MILES

By /s/M. Tyson Daniel
Of Counsel

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system, and that a true and accurate copy of the foregoing was sent via the CM/ECF system to all counsel of record on the 6th day of December, 2018.

/s/ M. Tyson Daniel
M. Tyson Daniel